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CONTENTS

PART I

Labour Department

1—7 *Awards on Industrial disputes :*

Labour Court, Quilon	..	78/75, 26/79, 33/79
Labour Court, Ernakulam	..	43/80, 84/80, 104/80
Industrial Tribunal, Alleppey		47/82

Section iv

8—18 **S. R. O. Nos.**—1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561 and 1564/1982.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 1174/82/LBR. *Dated, Trivandrum, 29th October* 1982.

The award of the Labour Court, Quilon, in respect of the dispute between The President, Muthoor Service Co-operative Society Limited No. 3118, Muthoor P. O., Thiruvalla and their workman Smt. M. N. Rajamma, Mambuzha Veedu, Chalakuzhy, Azhiyadathuchira, P. O., Thiruvalla received by Government on 7-10-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor.
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Quilon

Tuesday, the 14th day of September, 1982.

Present :

SHRI T. V. KUNHAHAMED, B. A., B. L.,

Presiding Officer

INDUSTRIAL DISPUTE No. 78/75

Between

The President, Muthoor Service Co-operative Society Ltd. No. 3118, Muthoor P. O., Thiruvalla

And

Smt. M. N. Rajamma, Mambuzha Veedu, Chalakuzhy, Azhiyadathuchira P. O., Thiruvalla

Representations:—

Sri V. K. Ram Mohan Das, Advocate, Alleppey. — For *the Management*

Sri G. Gopinathan Nair, Advocate, Alleppey — For *the Worker*

AWARD

This industrial dispute relates to the dismissal of Smt. M. N. Rajamma, Paid Secretary of Muthoor Service Co-operative Society. The dispute was referred to th Court by the Government of Kerala as per C. O. Rt. No. 1475/75/LBR dated 11-12-1975.

2. The charges levelled against the employee are :—

(1) that she misappropriated Rs. 200 by showing in the accounts that she had deposited Rs. 261.17 in the Co-operative Bank and actually deposited only Rs. 61.17,

(2) that she purchased 200 kgs. potash from F. A. C. T. depot at Pulikeezhu as per bill No. 610584 and did not enter the potash in the stock register of manure while accounted for Rs. 105 as the price paid for the potash,

(3) that when she handed over charge of the stock on 5-3-1972 there was a deficiency of manure worth Rs. 1172.28.

(4) that she sold pesticides for Rs. 2250 and accounted for Rs. 2125.50 and misappropriated the balance amount of Rs. 124.50,

(5) that during the period 2-12-1971 and 29-1-1972 she wrongfully kept with her Rs. 137.72 without entering the same in the accounts of the Society,

(6) that she did not account for Rs. 26 realised by her by sale of forms.

3. It was on the basis of the above charges, that the Board of Directors conducted an enquiry and decided to dismiss the employee. The employee was also prosecuted before the Subdivisional Magistrate, Chengannur and the criminal case ended in acquittal.

4. M. Ws. 1 and 2 and W. W. 1 were examined and Exts. M1 to M15 and W1 were marked.

5. The first charge against the employee is that she had misappropriated a sum of Rs. 200 by remitting in the bank a sum of Rs. 61.17 as against the amount of Rs. 261.17 shown in Ext. M11 the day book. The relevant entry has been marked as Ext. M11(a). Ext. M12 is the receipt obtained from the bank for the amount in dispute as well as other amounts. The amount shown is Rs. 61.17 as against the day book entry of Rs. 261.17. On receipt of Ext. M2 the chargesheet the employee had sent Ext. M3, her explanation. The employee does not admit that Ext. M3 was sent by her. If Ext. M3 is admitted the employee would have no arguable case at all. Therefore one can very well appreciate her contention, that Ext. M3 was not the reply sent by her. It has been stated in Ext. M3 that the balance amount of Rs. 200 has been remitted in the society on 8-4-1972. The case now put forward by the Secretary is that the balance amount of Rs. 200 has been

remitted by the President himself on 8-4-1972. Assuming without deciding that the President had remitted the amount of Rs. 200 it does not absolve the Secretary from her liability for misappropriation of funds. She had made a false entry in the day book, that she had remitted Rs. 261/17 in the bank while actually she had remitted only Rs. 61/17. If the statement in Ext. M3 that she had remitted the amount in the society on 8-4-1972 is correct, she is guility of making a false entry in the day book and detaining the amount with her for a period of 5 days. Thus in any view of the matter, it has to be held that charge No. 1 has been proved.

6. The second charge relates to the purchase of 200 kgs. of potash from the F.A.C.T. depot and the non-accounting of the same in the stock register. The defence of the employee is that usually she does not go for purchase of manure, that some members of the managing committee goes for effecting purchases and that she enters in the accounts the receipt brought by them. Here again she has no explanation to offer for not entering the 200 kgs. of manure in the stock register of manure. When she entered the amount of cash paid for the potash in the day book, she should have effected a corresponding entry regarding the 200 kgs. potash in the stock register of manure. Her failure to do so shows that she is not innocent of this charge. She does not remember whether manure has been purchased from F.A.C.T. during the period she was working as Secretary. She asserted that potash alone was never purchased. The Secretary admitted that the responsibility for purchase and sale of manure is with her and that on 15th March, 1972 she had entered in the cash book a sum of Rs. 669.02 as the price of manure purchased for the Society. Ext. M13 is the stock register of manure. Entries regarding potash are contained at pages 20 and 21 of this book. There was no purchase of potash on 15th March, 1972. It is clear from the above, that Smt. Rajamma either misappropriated the price of potash or the potash itself. Smt. Rajamma had stated from the witness box that she was not in the habit of going for purchase of manure and she used to depute one of the Directors for that purpose. But she has no case that the entries in the cash book or in the stock register are made by persons other than herself. She had entered the expenditure for the purchase of manure in the cash book but she had not made a similar entry in the stock register of manure. Thus it is clear that she had misappropriated either the cash or the manure.

7. Regarding Charge No. 3 it was conceded by Sri Ram Mohan Das, the learned counsel for the Society, that this charge has not been proved.

8. The fourth charge is that she misappropriated Rs. 124.50 from out of the amounts realised by her by sale of pesticides. The society had directed the Secretary to sell pesticides at Rs. 4.50 per bottle. Their case is that she sold at that rate and accounted at the rate of Rs. 4.25 per bottle. The defence of the Secretary is that she received a direction from the Departmental authorities, that she should sell pesticides at Rs. 4.25 per bottle and that she had sold only at that rate. According to the delinquent

all the 498 bottles were sold at the rate of Rs. 4.25. Ext. M14 is admittedly the account relating to the sale of manure and pesticides. The delinquent stated in cross-examination that she had made entries only in the first page of that book. In that page, pesticides are shown as sold at the rate of Rs. 4.50 per bottle. The delinquent admitted that 5 to 8 bottles are entered in the first page of Ext. M14. The entries in the next pages are also in the handwriting of the delinquent. No bills were issued for the sale of pesticides since according to the delinquent there was no such practice. Whatever it be the Society has not succeeded in showing that the entire amount of Rs. 124.50 has been misappropriated by the delinquent. At the same time it cannot be said that the delinquent has not misappropriated any amount under this head. I would therefore hold that this charge has not been fully proved.

9. The next charge relates to the temporary misappropriation of Rs. 137.72 during the period 2nd December, 1971 to 29th January, 1972. The management bas not shown that Smt. Rajamma had kept the amount with her without entering the same in the accounts.

10. The next cbarge relates to the misappropriation of Rs. 26 being the price of forms. The defence is that the sale of forms are not accounted as and when one or two forms are sold. The delinquent has no case that she had maintained records relating to the sale of forms. But the Society has not established its case that Smt. Rajamma had realised Rs. 26 by sale of the forms. I would therefore hold that this charge has not been proved.

11. The next question is regarding the propriety of the punishment. It has already been seen that the society has succeeded in proving the first charge of misappropriation of Rs. 200 and the second charge of misappropriation of Rs. 105 or the manure purchased for that amount. Therefore it cannot be said that the punishment of dismissal was not the proper punishment. No enquiry was held before Smt. Rajamma was dismissed from service. The Society may justify this action by relying on Ext. M3 the reply to the charges wherein Smt. Rajamma had admitted some of the cbarges. But nothing prevented the society from holding an enquiry regarding tbe charges that were not admitted by her. In the circumstances, I feel that there should be a direction for payment of half the back wages till the date of coming into force of this award.

12. In the result, I pass an award upholding the dismissal of Smt. M.N. Rajamma, Paid Secretary and directing the management to pay half the back wages from the date of suspension till the date of coming into force of this award.

This award shall take effect on the expiry of 30 days of its publication in the Kerala Government Gazette as enjoined in Section 17 A (1) of the Industrial Disputes Act.

T.V. KUNHAHAMED,
Presiding Officer.

Appendix

Witness examined on the side of the management :—

M.W.1 P.K. Raman Pillai

M.W.2 Padmanabhan

Witness examined on the side of the Worker :

W.W.1 Smt. M.N. Rajamma

Exhibits marked on the side of the Management :

Ext. M 1 Report of the Inspector of Co-operative Societies, Pulikeezhu unit dated 5-5-1972.

Ext. M 2 Copy of the charge sheet dated 27-5-1972.

Ext. M 3 Explanation dated 3-6-1972 submitted by Smt. Rajamma.

Ext. M 4 Application dated 28-7-1972 submitted by Smt. Rajamma.

Ext. M 5 Copy of suspension order dated 24 8-1972.

Ext. M 6 Copy of show cause notice dated 9-11-1972.

Ext. M 7 Explanation submitted by Smt. Rajamma to the above memo.

Ext. M 8 Explanation submitted by Smt. Rajamma to the Board.

Ezt. M 9 Copy of intimation sent by the President to Smt. Rajamma stating that the Board decided Smt. Rajamma dismissing from service.

Ext. M10 Personal letter dated 18-3-1972 sent by Smt. Rajamma to the President.

Ext. M11 Day book

Ext. M11(a) Page 24 of the day book

Ext. M12 Receipt dated 3-3-1972

Ext. M13 Stock register

Ext. M14 Account book relating to the sale of manure and pesticides

Ext. M15 Copy of bill dated 15-2-1972

Exhibits marked on the side of the Worker :

Ext. W 1 Attested copy of judgment in C.C. 423/72 of the Sub-Divisional Magistrate, Chengannur.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1018/82/LBR. *Dated, Trivandrum 18th September 1982.*

The award of the Labour Court Quilon in respect of the dispute between the Superintendent, Venture Estate, Kalthuritty P. O., Quilon District and the workman of the above concern represented by the General Secretary, Thenmalai Valley Estate Workers' Union, Kalthuritty P. O, Quilon District received by Government on 17-8-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. Sivadasan,
Deputy Secretary to Government.

In the Labour Court, Quilon

Monday, the 2nd day of August, 1982

Present:

Shri T. V. Kunhahamed B.A. B.L.,
Presiding Officer.

INDUSTRIAL DISPUTE No. 26/79.

Between

The Superintendent, Venture Estate, Kalthuritty P. O., Quilon District.

And

The workman of the above concern represented by the General Secretary, Thenmalai Valley Estate Workers' Union, Kalthuritty P. O., Quilon District.

Representations:—

M/s Menon & Pai, Advocte, Ernakulam. .. *For the Management.*

Shri N. Raman Pillai, Advocate, Quilon. .. *For the Union.*

AWARD

The question referred by the Government of Kerala as per G. O. (Rt.) No. 845/79/L&H dated 7-6-1979 relates to the service condition of Teachers.

2. The Management had raised a preliminary objection, that teachers are not 'Workmen' and therefore the Industrial Disputes Act is not applicable. My learned predecessor passed a preliminary order holding that teacher is a 'Workman' and he had posted the case for further steps. The Management had filed an O. P. before the High Court as O. P. No. 4730/80-I. The High Court had by its order dated 10th December 1980 stayed further proceedings for six weeks. Subsequently as per order dated 16th January 1981, the stay was extended by three weeks. As per order dated 6th February 1981 the stay was extended by one month. It is not known whether the High Court had passed further orders extending the period of stay of further proceeding. Further orders, if any, bave not been communicated to this court.

3. When the case was called on 22nd March 1982, it was represented that the stay has been extended. Therefore the case was adjourned to 26th April. On 26th April, there was a representation that the stay has been made absolute. The case was adjourned to 5th July 1982. On 5th July 1982, it was represented on behalf of the management that there was only a stay for one month and representations made on earlier occasions are erroneous. In the circumstances, I am proceeding on the basis, that there is no stay of further proceedings.

4. On 5th July 1982, an application was filed by the learned counsel for the management for recording the compromise and for a declaration that there is no valid Industrial Dispute. The application has also been signed by Shri P. S. Cherian, General Secretary of the Union in question. The Union and their advocate did not appear in court. Therefore the joint application is allowed and it is declared that there is no industrial dispute between the parties at present. The joint application shall form part of this award.

This award shall take effect on the expiry of 30 days of its publication in the Kerala Government Gazette.

Dictated to the Confidential Assistant, transcribed and typed out by him, corrected by me on this the 2nd day of August, 1982.

T. V. Kunhahamed,
Presiding Officer.

Before the Labour Court, Quilon

I. D. No. 26 of 1979.

In the matter of Industrial Dispute between the Superintendent. Venture Estate, Kalthuritty P. O., Quilon District and the General Secretary, Thenmala Valley Estate Workers' Union, Kalthuritty P. O., Quilon District.

Joint petition filed by the parties

1. The only issue referred for adjudication is the service conditions of teachers.

2. The Management in the above case filed a preliminary counter statement stating that a teacher is not a workman, and therefore, there is no valid industrial dispute.

3. However, the dispute was amicably settled out of court between the parties as the Management has agreed to extend the service conditions applicable to Government Teachers and therefore, there is no valid industrial dispute at all pending.

Hence it is humbly prayed that this Hon'ble Labour Court may be pleased to hold that there is no industrial dispute is pending.

Dated this the 1st day of July 1982.

For **Thenmala Valley Estate Workers' Union**

(Sd.)
P. S. CHERIAN,
General Secretary.

(Sd.)
J. B. KOSHY,
Advocate for the Management.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1175/82/LBR. *Dated, Trivandrum, 29th October* 1982.

The award of the Labour Court, Quilon in respect of the dispute between the Management of The President, Kuthirapanthy Coir Vyavasaya Co-operative Society Limited No. 393, Kuthirapanthy, Alleppey-2. and The workman of the above society namely Sri. C. K. Manoharan, Thaiparambil Veedu, Kuthirapanthy, Alleppey-2, received by Government on 7-10-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Quilon

Present:

SHRI T. V. KUNHAHAMED B. A., B. L.,

Presiding Officer

Friday, the 17th day of September, 1982.

INDUSTRIAL DISPUTE No. 33/79

Between

The President, Kuthirapanthy Coir Vyavasaya Co-operative Society Ltd. No. 393, Kuthirapanthy Alleppey-2.

And

The workman of the above society namely Sri C. K. Manoharan, Thaiparambil Veedu, Kuthirapanthy, Alleppey-2.

Representations:

Sri. P. Narayanan Nair, Advocate, Alleppey } For *the Society.*

Sri. K. P. Somrajan, Advocate, Alleppey. } For *the Workman.*

GA. 200/B.

AWARD

The facts of this case are clearly stated in the preliminary order dated 21st May 1981 passed by my learned predecessor which is extracted below:

"This industrial dispute is between the President, Kuthirapanthy Coir Vyavasaya Co-operative Society Ltd. No. 393, Kuthirapanthy, Alleppey-2 and the workman of the above Society namely Sri C. K. Manoharan, Thaiparambil Veedu, Kuthirapanthy, Alleppey. It was referred to this court for adjudication as per G. O. (Rt) No. 939/79/L&H dated 2-7-1979. The issue referred for adjudication is "Dismissal of the Business Manager, Sri C. K. Manoharan".

The worker has filed a claim statement raising the following contentions:—He was employed by the management as Business Manager on 3-1-1978, he was suspended by the management on the following allegations:—

(a) The charges mentioned in the report dated 27-6-1979 filed by a committee constituted by three board members,

(b) That the delinquent absented from the board meeting even against the requirement of the President by notice,

(c) That he made to write a letter to the Society by Cicily Panackal, Vadakkal on 3-9-1979 as a shield to cover the delinquent's dishonesty,

(d) That the board finds shortage of husks caused due to fabrication in green husk dealings,

(e) That C. K. Manoharan has caused huge loss of 6467 coconut husks and thereby dishonesty dealt with the properties of the Society and committed theft of the same.

A domestic enquiry was conducted against him which resulted in a finding, that the charges were proved. The finding is not correct. His dismissal was the result of political vengeance. He has not committed any of the acts of misconduct alleged. He therefore prays that the order of dismissal be set aside and that he ordered to be reinstated.

The Management in its counter statement alleges that the workman absented himself from a board meeting eventhough he was required to be present, that he caused a false letter to be written to the Society by one Cicily Panackal to cover up his dishonesty, that he had caused loss of 6467 coconut husks to the Society by his dishonesty and that the enquiry was properly conducted against him.

The workman filed a replication wherein he reiterated its original contentions.

The enquiry officer was examined as M. W. 1 and Exts. M1 and M2 are marked. Preliminary arguments were heard regarding the propriety of the enquiry and also on the question whether the findings of the enquiry officer are perverse or unsupported by evidence.

It is seen from a perusal of the enquiry records and the evidence of the enquiry officer M. W. 1, that there has been no breach of the principles of natural justice and that opportunity had been given to the delinquent to cross-examine the witnesses of the management and also to lead evidence. The enquiry is therefore not vitiated by any defect in procedural matters.

Then the question is whether the findings of the enquiry officer are unsupported by evidence. I have already referred to the charges. The first charge is based on the report of the enquiry submitted by a committee constituted by the management. The report was marked as Ext. M2 before the enquiry officer. The report is mainly to the effect that there has been loss of husks which had been immersed for retting due to want of sufficient precautions to prevent such loss. The report states that the husks were not properly secured and that necessary precautions to prevent the husks from floating away had not been taken. The members of the committee, who prepared the report after inspecting the places were the husks had been immersed have been examined before the enquiry officer and they have spoken in support of their report. Their evidence together with the report show that there has been loss of husks because proper precautions were not taken to prevent such loss. The question whether the responsibility of the delinquent for the loss has been proved will be discussed later.

The second charge is that the delinquent absented from the Board meeting even against the requirement of the President by notice. The fact that he did not appear at the meeting is admitted by the delinquent in his letter Ext. M5. So this charge has been proved before the enquiry officer.

The third charge is that he caused to be written a letter to the society by Cicily Panackal, Vadakkal on 3-9-1977 to the effect that she removed the husks which had been entered in her card and that this was done by the delinquent to cover up his dishonesty. It is true that the handwriting in the letter is very similar to the handwriting of the delinquent. But from that fact alone, it is not justifiable to infer that it was caused to be written by the delinquent to cover up any dishonesty. What exactly is the nature of the dishonesty which he is alleged to have attempted to cover up is not clear. In my opinion the findings of the enquiry officer regarding this charge is not supported by the evidence adduced.

The fourth charge is to the effect that the delinquent has committed dishonesty in collecting the husks and in counting them and the fifth charge is that he had committed theft of husks found missing. These charges are sought to be supported by the evidence of M.W. 1, the Field Assistant to the Coir Inspector, North Alleppey, who inspected the places where the husks belonging to the management-society had been immersed for retting. His evidence is in support of his report Ext. M1 showing that there has been deficit in the husks. There is no reason to disbelieve the evidence of this witness regarding the existence of the shortage. The delinquent has also examined two witnesses who were deputed by M. W. 1 to look for missing husks. Their evidence is that the husks were found some 80 feet to half furlong away from the pit. The delinquent's case is that the husks were dislodged from the pit due to flood waters.

The evidence shows that the husks had been lost from the pit and that they were found elsewhere. From the evidence, it is not possible to conclude that any fraud had been committed by the delinquent in collecting the husks. He can be held responsible for the loss of the husks if it is proved that the responsibility for the safe custody of the husks was with him. The enquiry officer relied on Ext. M12 which is stated to contain the rules specifying the duties and responsibilities of the Business Manager namely the delinquent. It is seen that these rules were framed by the Director Board and that it was decided to get them approved by Government. There is no evidence to show that the rules were approved by Government. Hence it cannot be said that there is evidence to show that the delinquent was responsible for the shortage noticed either by the Coir Inspector or by the Members of the Committee of the Board of Directors.

I had observed earlier in relation to the first charge, that the evidence shown that proper precautions had not been taken to keep the husks secure in the pit. Apart from Ext. M12 marked before the enquiry officer no other evidence was adduced by the enquiry officer to hold that the Business Manager was responsible for the safe custody of the immersed husks. Therefore the finding that the Business Manager was responsible arrived at by the enquiry officer based on Ext. M12 before him is unsupportable.

In the light of the above discussion, I find that the finding of the enquiry officer can be upheld only in respect of the second charge. The other findings are not supported by the evidence adduced before him. In my view the management should be given an opportunity to substantiate their action based on the other charges also by adducing evidence. The case will be posted for evidence, if any, on behalf of the management in the light of the findings above."

2. It would be seen that all the charges except charge No. 2 are directly connected with the retting of husks. Charge No. 2 related to the refusal of the workman to appear before the Managing Committee eventhough he had received notice directing him to do so. My learned predecessor found that this charge has been proved and eventhough some of the ingrediance of the remaining charges have been processed there is no evidence to fix the responsibility regarding the loss of husks on the employee. The third charge relates to a letter alleged to have been sent by one Cicily Panackal, Vadakkal. There again my learned predecessor found that the findings of the enquiry officer are not supported by the evidence adduced by the management. After the preliminary order the management has not adduced any further evidence regarding the third charge. Therefore it has to be held that the third charge has not been proved.

3. The first charge based on the report of the sub committee is that loss has been caused by not taking sufficient preventive measures to avoid loss of husks immersed for retting by the flow of water due to the neap tide and spring tide.

4. The fourth charge is that there has been shortage in the stock of husks due to fabrication in green husk dealings. The fifth charge relates to loss of 6467 coconut husks. Thus it is seen that the charges 1, 4 and 5 relate to the husks immersed for retting. After discussing the evidence relating to charge No. 1, my learned predecessor observed "Their evidence together with the report show that there has been loss of husks because proper precautions were not taken to prevent such loss. The question whether the responsibility of the delinquent for the loss has been proved will be discussed later". This aspect was considered along with the fourth charge. Regarding fourth charge my learned predecessor observed as follows : "The evidence shows that the husks had been lost from the pit and that they were found elsewhere. From the evidence, it is not possible to conclude that any fraud had been committed by the delinquent in collecting the husks. He can be held responsible for the loss of the husks if it is proved that the responsibility for the safe custody of the husks was with him. The enquiry officer relied on Ext. M12 which is stated to contain the rules specifying the duties and responsibilities of the Business Manager namely the delinquent. It is seen that these rules were framed by the Director Board and that it was decided to get them approved by Government. There is no evidence to show that the rules were approved by Government................Apart from Ext. M12 marked before the enquiry officer no other evidence was adduced by the enquiry officer to hold that the Business Manager was responsible for the safe custody of the immersed husks".

5. After the preliminary order the management has examined M. W. 2 the Coir Project Officer, Alleppey. He has stated that the society had sent Ext. M12 for approval by the Coir Project Officer and it has been approved. He has proved Ext. M3, communication sent by the Society to the Coir Project Officer. The Project Officer had approved the same on 3rd December 1976. M. W. 2 stated that Ext. M3 was approved by the then Project Officer. He stated in cross-examination that he does not know whether a letter communicating the approval has been sent to the society. It has got to be remembered that Ext. M3 is the original maintained in the office of the Project Officer.

6. Rule 20 of the Bye-laws provides that the Managing Committee shall frame business rules and service rules and shall implement the same after getting approval of the Registrar. The question of implementing the rules would arise only after obtaining the approval of the Registrar. The evidence given by M. W. 2 as well as Ext. M3 would go to show that the Managing Committee had framed rules regarding the responsibility of the Works Manager and had forwarded the same to the Regisrar, in this case the Coir Project Officer for his approval. The Coir Project Officer had approved the same. Evidence is wanting on the question whether the approval has been communicated to the society.

7. The worker had examined himself as W. W. 1. He has examined the then Secretary of the Society as W. W. 2 and a Director as W. W. 3. W. W. 2 who had worked as Secretary from 1974 to October 1980 stated that as per the bye-laws the person responsible for all the movable and immovable property of the society is the Secretary, that in 1975 a resolution was passed conferring more responsibility on the Works Manager and the same has not been approved by the department until the suspension of Manoharan, the Works Manager. She stated in cross-examination, that she does not know the date on which approval for Ext. M3 was received in the Society. In re-examination she stated that she does not know the date on which the approval of the department was communicated to the Society. Relying on the above statement of W. W. 2 it was argued on behalf of the management, that no further evidence is required to show, that approval for Ext. M3 has been communicated to the society in 1976 itself. I disagree. If a communication has been received from the Coir Project Officer the same would be available in the office of the society and the management would be in a position to produce the same in court. After receiving the approval, the management would have communicated the new rules to the persons concerned. The management has no case that such a communication has been given to the delinquent.

8. W. W. 1 was asked in cross-examination regarding the nature of his duties. He stated that when the society gives him information he goes to the spot counts the husks and gets the same carried by the workmen to the thodu specified by the society and immerses the same. The husks are kept in water for about 6 months and when the members come with cards he distributes the same. The Secretary makes entries in the stock register on the basis of the information given by the Business Manager. The Secretary enters the figures given by the Business Manager on the Board and the Business Manager affixes the same on the bundle of husks (വള്ളം). The information given by the Business Manager is the basis on which further action is taken by the society. The Business Manager stated that he visits all the thodus where the society had immersed husks once in a week or two weeks. He has also stated that when ever he had noticed any defect either due to the breaking of the coir connecting the 'vallam' with the pole on the land or the husks getting separated from the vallam he used to report about the possible loss to the Secretary. W.W. 3 the Director who is himself a workman in a coir factory stated that the husks of the society are immersed in thodus connected with the sea, that the society had not made any arrangements for protecting the husks, that the society had information that some private individuals were committing theft of the husks, that the husk vallams become loose at the time of the spring tide and those husks flow to the sea at the time of neap tide, that some temporary arrangements were made for protecting the husks but those things were of no use when there was strong current. The witness stated in cross-examination that husks will not be immersed in thodus having direct flow, that he was one of the members of the sub-committee appointed to enquire

about the loss of husks, that he had not co-operated with the committee and that himself and the delinquent are members of the Marxist Party (The remaining members of the Managing Committee are reported to be members of the C.P.I.). The witness denied the suggestion that he is giving false evidence to help Manoharan.

9. As per the bye-laws the stocks have to be verified once in three months. Nobody has a case that such verification was done by the society. According to W.W. 2 the Secretary, the departmental authorities used to conduct stock verification once in a year. He has stated that the quarterly verification of stocks as provided in the bye-laws never used to be done. There was no stock verification even on the eve of the suspension of the Business Manager. The stock verification was done more than a month after the suspension of Manoharan and at a time when he had no access to the records of the society. As has been rightly observed by my learned predecessor, there has been deficiency in the stock of husks, but it is not possible to clinch the responsibility solely on the Business Manager. The responsibility has to be shared by the Business Manager, Secretary and the members of the managing committee. The question as to how much should be recovered from each of the above mentioned individuals is a matter to be decided in the arbitration proceedings initiated or to be initiated by the society against all or any of the said individuals.

10. Considering all the above circumstances, I held, that the charges other than charge No. 2 has not been proved.

11. The next question to be considered is regarding the propriety of the punishment. The reason given by the delinquent for not attending the meeting of the managing committee which was held in the residence of the President is that due to political enmity he was afraid to go to the residence of the President who was a member of the Communist Party of India (C.P.I.). I am afraid this is not sufficient for disobeying the order to attend a meeting of the managing committee. It has also got to be remembered that the meeting was convened for the purpose of considering the question regarding the loss of husks. At the same time, I feel, that the charge is not grave enough to impose the extreme penalty of dismissal. It is enough if back wages from the date of suspension till the date of coming into force of this award is withheld.

12. In the result, I pass an award directing the management to reinstate Shri C.K. Manoharan, Business Manager and further directing that all back wages from the date of suspension till the date of coming into force of this award shall be withheld.

This award shall take effect on the expiry of 30 days of its publication in the Kerala Government Gazette as enjoined in section 17 A (1) of the Industrial Disputes Act.

T.V. Kunhahamed,
Presiding Officer.

APPENDIX

Witnesses examined on the side of the Management:—

M.W. 1 M.N. Radhakrishna Menon

M.W. 2 S. Viswanathan

Witnesses examined on the side of the Worker:—

W.W. 1 C.K. Manoharan

W.W. 2 Chinnamma Ponnan

W.W. 3 K.A. Joseph Mony

Exhibits marked on the side of the Management:—

Ext. M. 1 Enquiry proceedings.

Ext. M. 2 Finding and report of the enquiry

Ext. M. 3 Decisions of the Board meeting held on 25-6-1975 sent by the society to the Coir Project Officer, Alleppey for approval.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1017/82/LBR *Dated, Trivandrum, 18th September 1982.*

The award of the Labour Court Ernakulam in respect of the dispute between the President, Kallur Vadakkummuri Service Co-operative Bank Limited No. 628, Kadukutty, Chalakudy and the workmen of the above concern represented by (1) Shri V. A. Vareed, Secretary, Kallur Vadakkummuri Service Co-operative Bank Limited No. 628, Kadukutty, Chalakudy represented by the Kerala Co-operative Employees Federation, Irinjalakuda and (2) The Secretary, Kerala Co-operative Employees Union, Town Hall Road, Trichur received by Government on 16-8-1982 is hereby published under section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. SIVADASAN,

Deputy Secretary to Government.

In the Labour Court, Ernakulam

Dated this the 11th day of August, 1982

Present:

SHRI N. SUKUMARAN, B. SC., B.L.,

Presiding Officer

INDUSTRIAL DISPUTE NO. 43 OF 1980

Between

The President, Kallur Vadakkummuri Service Co-operative Bank Limited No. 628, Kadukutty, Chalakudy

And

The workmen of the above concern represented by (1) Shri V. A. Vareed, Secretary, Kallur Vadakkummuri Service Co-operative Bank Limited No. 628, Kadukutty, Chalakudy represented by the Kerala Co-operative Employees Federation, Irinjalakuda and (2) The Secretary, Kerala Co-operative Employees Union, Town Hall Road, Trichur.

Representations:

Shri M. Venugopalan, Advocate, Trichur.	..	For *Management.*
Shri K. Aravindakshan, Advocate, Trichur.	..	For *Union No. 1.*
Shri P. Balakrishnan, Advocate, Trichur.	..	For *Union No. 2.*

AWARD

The issue referred for adjudication by Government as per G. O. (Rt.) No. 702/80/LBR dated 20-5-1980 is "Promotion of Shri P. P. Chacko, Clerk."

2. The following facts are admitted. Shri P. P. Chacko joined as a Clerk under the Kallur Vadakkummuri Service Co-operative Bank Limited No. 628, Kadukutty on 27-12-1962. He was suspended pending enquiry on 25-9-1967 and subsequently dismissed with retrospective effect from that date. There was an industrial dispute regarding that dismissal which was referred for adjudication to the Labour Court, Quilon where it was taken on the file as I. D. 156 of 1969 and disposed of as per Ext. W1 award dated 15-9-1971 directing reinstatement of Shri Chacko with all benefits. The award was confirmed by the High Court in an Original Petition filed by the Society and the judgement is Ext. W2. Thereafter he was reinstated on 19-2-1973 as a Clerk. In the meanwhile Shri V. A. Vareed was appointed as a Clerk on 1-12-1967. He was later on 15-4-1969 promoted as the Secretary. Shri Vareed was continuing as the Secretary when Shri Chacko was reinstated in 1973. Shri Chacko had raised this dispute claiming seniority over Shri Vareed for the first time as per his complaint raised through the Union before the Management on 8-6-1979. A copy of the complaint was also forwarded to the Deputy Labour Officer and it had ultimately resulted on failure of conciliation attempts in this reference.

3. Shri Vareed is also a party to the reference. He and the society have filed separate written statements challenging the claim of Shri Chacko for seniority. The contention is that Shri Vareed had already been appointed as the Secretary when Shri Chacko was out of service and that Shri Chacko did not raise any claim for seniority for a long time.

4. There is a subsequent development and that is that Shri Vareed is also now dismissed from service. The place of the Secretary is vacant and I am told that an administrator is managing it.

5. The point arising for consideration is as to whether the claim of Shri Chacko for seniority over Shri Vareed is allowable. Exts. W1 and W2 show that Shri Chacko was dismissed without any justifiable reasons. His reinstatement with all benefits is what is awarded in Ext. W1. That means that Shri Chacko is deemed to have been continuing in service without any break. When that is the position Shri Chacko who joined on 27-12-1962 evidently is senior as a clerk to Shri Vareed who started as such only on 1-12-1967. So as a clerk Shri Chacko is senior to Shri Vareed. But Shri Vareed was appointed as the Secretary on 15-4-1969 and was continuing as such without any challenge from Shri Chacko till 8-6-1979. It is also seen that Shri Chacko had filed P. W. A. 79/76 before the Labour Court, Calicut for wages for the period 1967 to 31-8-1973. Ext. W3 is the order of the Calicut Labour Court in that case. What is seen from Ext. W3 is that Shri Chacko was claiming only wages as applicable to a Clerk taking in to account the periodical increments also. No doubt the claim

for promotion cannot be advanced before the Authority under the Payment of Wages Act. But Shri Chacko could have raised this dispute of seniority when he is seen to have approached the Payment of Wages Authority even in 1973. (Ext. W3 case was originally filed before the Labour Court, Quilon in 1973 and later transferred to Calicut). It is not known as to why Shri Chacko did not raise such a demand at the earliest possible opportunity But still the position remains that be is senior to Shri Vareed.

6. There is no case for Shri Chacko that promotion to the post of Secretary is automatic. The Secretary of a Society is the Chief Executive Officer and suitability is also a normal condition to hold that post. At no point of time had the Society considered the suitability of Shri Chacko for appointment as the Secretary. The fact that Shri Chacko did not raise the claim for seniority at the appropriate time is a matter which must be given due significance. In these state of affairs it is not possible to order seniority of Shri Chacko over Shri Vareed with retrospective effect from the date on which Shri Vareed became the Secretary. I leave the matter to the Society to consider the suitability of Shri Chacko for appointment as the Secretary. Hence I am not ordering that Shri Chacko is to be appointed as the Secretary. But I make it clear that Shri Chacko will not be entitled to the benefits available to a Secretary even if he is posted to that place before he raised the demand for the first time in 1979. An award is passed accordingly.

(Camp) Kottayam,
11-8-1982.

N. SUKUMARAN,
Presiding Officer.

Appendix

Exhibits marked on the Workman's side:

Ext. W1. Copy of the award in I. D. 156/69 of the Labour Court, Quilon.
" W2. Certified copy of the judgement in O. P. 545 of 1972 of the Kerala High Court.
" W3. Certified copy of the order in P. W. A. No. 79/76 of the Labour Court, Kozhikode.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1093/82/LBR. *Dated, Trivandrum, 6th October* 1982.

The award of the Labour Court, Ernakulam in respect of the dispute between the Management of M/s Samrudhi Packers, VI/1300, Erimbichi Road, Cochin-2 and their workmen represented by the Joint Secretary, Cochin Thuramugh Thozhilali Union, P. B. No. 183, Cochin-2 received by Government on 4-10-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Thursday, the 23rd September, 1982

Present:

SHRI N. SUKUMARAN, B. SC., B. L.

Presiding Officer

In

INDUSTRIAL DISPUTE No. 34 of 1980

Between

M/s Samrudhi Packers, VI/1300, Erimbichi Road, Cochin-2

And

The workman of the above concern represented by the Joint Secretary, Cochin Thuramugh Thozhilali Union, P. B. No. 183, Cochin-2.

Representations:—

M/s Kamath & Kamath, Advocates, Cochin-2.	For *Management*
M/s P. P. John & P. J. Philip, Advocates, Cochin-20.	For *Union*

AWARD

The issue referred for adjudication by Government as per G.O.Rt.No. 1115/80/LBR dated 30-7-1980 is "Dismissal of Sri A.Bava from 15-1-1979."

II. The dismissal was after a domestic enquiry. The validity of the enquiry was tried by me as a preliminary issue. I found in my order dated 13-9-1982 that there was a valid domestic enquiry. It was further found therein that the findings of guilt rendered by the Enquiry Officer are correct and proper. Facts necessary for the disposal of the case have been narrated in that order and it is unnecessary to repeat them.

The order extracted hereunder provides the facts:—

"ORDER

Shri A.Bava was the Mooppan of Samrudhi Packers. As Mooppan he had to work along with the other workers while supervising their work also. For such supervision he is allowed three per cent of the total earnings of the other workers. There was some dispute concerning the employment of additional workmen. The Management's case is that Shri Bava absented himself from work for a few days till 13-1-1979 and demanded his share and the wages in the evening of that day to which the other workmen including Sarvasree Ali and Mohanan objected and that Shri Bava then stabbed Shri Ali on his left chest with a knife and attempted to assault Shri Mohanan. On the basis of the above allegations disciplinary proceedings were initiated. Show cause notices issued by post were returned unserved. So a paper publication was issued in answer to which Shri Bava submitted his explanations which were found unsatisfactory. Therefore a formal charge concerning the misconduct was framed and a domestic enquiry ordered. MW1, an Advocate, conducted the domestic enquiry. The Enquiry Officer found Shri Bava guilty of the charges. The dismissal which is the subject matter of this reference followed on its basis.

2. The Management is defending its action by saying that Shri Bava was really guilty of assaulting one of his co-workers and attempting to assault another co-worker in the premises of the establishment and that the misconduct was well established in a properly conducted domestic enquiry. According to the Management the punishment of dismissal is quite appropriate to the gravity of the misconduct proved and he is not entitled to any reliefs.

3. The Union espousing the cause of the workman in its charter of demands appended to the reference as well as the rejoinder filed before this court while pleading innocence of the workmen contends that Shri Bava and all the other workmen of the establishment were members of the Cochin Thuramugha Thozhilali Union from which all except Shri Bava resigned and joined the C. I. T. U. supported by the Management and the disciplinary proceedings were initiated only to victimise Shri Bava. It is further contended that the enquiry was conducted by the Management's legal advisor in violation of all Principals of natural justice without giving an

opportunity to the workman to adduce evidence. What little evidence was available is quite insufficient to support the findings of guilt rendered. The findings are perverse. The workman is entitled to reinstatement with all benefits.

4. In view of the rival contentions regarding the validity of the domestic enquiry it became necessary to consider that matter as a preliminary issue. The Enquiry Officer examined before me proved Exts. M1 and M2 files containing the relevant papers concerning the enquiry. No other evidence was adduced.

5. The contention that the disciplinary proceedings and domestic enquiry were held in violation of principles of natural justice is not seriously pursued before me. It is the admitted case that there was some incident in the premises of the establishment in the evening of 13-1-1979 involving Shri Bava and some other workmen. That the position is so is stated in the explanation submitted by Shri Bava and marked at the enquiry as Ext. A14. Shri Bava's case therein is that he was the victim of attacks at the hands of the other workmen. There is not much of a dispute that Shri Ali examined as PW1 at the enquiry had sustained a stab injury in the incident. Disciplinary proceedings were initiated by the Management on the basis of complaints received from Shri Ali and some other workmen. In these state of affairs it cannot be said that the Management had initiated action without any reasonable basis. Show cause notices were issued to the workmen through post. They were returned. Then a publication was issued in the paper in response to which the workman submitted his explanation. Formal charges were framed finding that the explanations were unsatisfactory. A domestic enquiry was also ordered. The workman wanted the list of witnesses in advance which the Enquiry Officer furnished before recording evidence. The request of the workman to have the assistance of a union leader at the enquiry was granted. It was that Union leader who cross-examined the witnesses on behalf of the workman. Four witnesses for the Management were examined and all of them were cross-examined at length. The depositions contained in Ext. M2 file are admittedly signed by the workman and the Union leader who assisted him. The allegation that MW1 is the Legal Adviser of the Management concern is emphatically denied by him. There is nothing to show that MW1 has any special reason to support the Management. The main allegation is that the workman was not permitted to adduce evidence. But we have Ext. M1 (a) statement signed by the workman and his agent the Union Leader which states that there is no defence evidence. In these state of affairs the contention that the enquiry was held in violation of principles of natural justice cannot be accepted. I hold that the enquiry was held properly in so far as the form and procedure are concerned.

6. The more serious attack of the Union is that the findings of the Enquiry Officer are perverse. The substance of the charge is that Shri Bava on 13-1-1979 at about 7.30 p. m. stabbed his co-worker Shri Ali with a knife on his chest and in continuation attempted to assault another co-worker Shri Mohanan who escaped unhurt inspite of the hot chase given by Shri Bava with a knife. Identical versions in support of this charge are spoken to by the injured Ali as PW1, Mohanan as PW2 and another worker Narayanan as PW3 at the enquiry. Exts. A1 and A2 are written complaints filed by Sarvasree Ali and Mohanan regarding this incident before the Management and they are both dated 15-1-1979. Ext. A3 is another joint complaint of the same date filed by Sarvasree Mohanan, Narayanan and another worker before the Management. There was also a parallel criminal proceedings initiated by the Police on the basis of a statement given by Shri Mohanan. The evidence is that Shri Ali became unconscious on receiving the stab injury and that he was immediately removed to the General Hospital, Ernakulam where he regained consciousness only on 15-1-1979. Shri Ali when examined as PW1 at the enquiry had stated that he had complained to the Management after his discharge from the hospital regarding the assault on him. On the basis of that statement of Shri Ali an argument is advanced by the learned counsel appearing on behalf of the Union that Ext. A1 complaint could not have been given on 15-1-1979 and in all probability it must have been concocted much later. It is also argued that Shri Ali was not in a fit condition to give a complaint like Ext. A1 on 15-1-1979. But we are not very much concerned with the written complaints as we have the oral evidence of the persons who gave the complaints. There is also nothing improbable for Shri Ali to have given a complaint like Ext. A1 on 15-1-1979 as all the witnesses have given evidence that Shri Ali regained consciousness on 15-1-1979 itself. What we have to see as to whether the incident happened in the manner spoken to by the witnesses or as pleaded by Shri Bava in his explanation marked at the enquiry as Ext. A14. His case there is that he was attacked by Shri Ali and others. In support of that allegation there is absolutely no evidence. Nothing had been brought out in the cross-examination of Ali, Mohanan and Narayanan to say that what they speak is not the truth. These witnesses have given clear and convincing evidence that Shri Bava attacked Shri Ali when the dispute regarding the sharing of the wages started. The evidence that is available is quite sufficient to support the finding of guilt rendered by the Enquiry Officer. So I have no hesitation to confirm the same.

7. In the result it is hereby ordered that there was a proper and valid domestic enquiry and that the findings of guilt rendered are correct."

III. In view of the above finding the only matter remaining for further consideration is as to whether the workman Shri Bava is entitled to any reliefs in the matter of punishment as per Section 11-A of the Industrial Disputes Act. The misconduct proved involves the stabbing of a co-worker in the premises of the establishment. Shri Bava was not an ordinary worker

but a Mooppan from whom orderly behaviour is normally expected. The circumstances do not show that there was any justification or provocation for the attack. In these state of affairs he does not deserve any leniency in the matter of punishment. Dismissal awarded is quite proportionate to the gravity of the offence proved. The dismissal is only to be confirmed and I do so.

IV. In the result an award is passed confirming the dismissal of Shri A. Bava.

Ernakulam
23-9-1982.

N. SUKUMARAN,
Presiding Officer.

APPENDIX

Witness examined on the Managements side :

MW1 Shri Santhilal Haridas.

Exhibits marked on the Management's side :

Ext. M1. Diary of the Enquiry Officer and other correspondences (one file)

" M1 (a). Proceedings of the Enquiry Officer dated 29-7-1979 (in Ext. M1 file)

" M2. Enquiry findings and the documents filed before the Enquiry Officer, (one file)

" M2 (a). Copy of the charge-sheet dated 25-1-1979 issued to Shri Bava (in Ext. M2 file).

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1016/82/LBR. *Dated, Trivandrum, 18th September 1982.*

The award of the Labour Court, Ernakulam in respect of the dispute between the Secretary, The Areeparambu Service Co-operative Society Ltd. No. 1398, Areeparambu P. O., Kottayam and the workman of the above concern viz., Shri P. K. Varghese, Pariyarathil House, Areeparambu P. O., Kottayam received by Government on 21-8-1982 is hereby publi hed under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Dated this the 17th day of August 1982

Present;

SHRI N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

INDUSTRIAL DISPUTE NO. 104 OF 1980

Between

The Secretary, The Areeparambu Service Co-operative Society Ltd. No. 1398, Areeparambu P. O., Kottayam.

And

The workman of the above concern viz., Shri P. K. Varghese, Pariyarathil House, Areeparambu P. O., Kottayam.

Representations:—

Shri N. C. Elias,
Advocate, Kottayam--2 .. For *Management.*

Shri Zacharia Koshy,
Advocate, Kottayam. .. For *Workman.*

AWARD

The issue referred for adjudication by Government as per G. O.(Rt.) No.1521/80/LBR dated 29-10-1980 is "Dismissal of Sri P. K. Varghese".

II. This is an individual reference and the workman is challenging the correctness of his dismissal as one effected without any valid reasons. He is claiming reinstatement with all benefits. The Management on the other hand contends that the workman, who was the Secretary of the Society, committed grave acts of misconduct meriting the punishment of dismissal and the same was awarded after conducting a proper domestic enquiry. According to the Management the domestic enquiry happened to be held ex parte only because the workman purposely abstained from participating in it. The claim for reinstatement and other benefits is seriously disputed by the Management. According to it the workman is not entitled to any reliefs.

III. In view of the rival contentions regarding the validity of the domestic enquiry the issue as to whether there was a proper and valid enquiry was considered in the first instance and I found as per my order dated 14-7-1982 that there was a valid and proper domestic enquiry. The findings of guilt rendered by the Enquiry Officer were also confirmed by me. I shall here extract that order where the necessary facts have been narrated:—

"ORDER

Dismissal of a workman by name Shri P. K. Varghese is the issue referred for adjudication. Shri Varghese was the Secretary of the Management Society. The Society initiated disciplinary proceedings against the workman on detection of several irregulaties in the accounts and cash in an internal audit for the period 1-7-1975 to 15-3-1976 conducted by a sub-committee of the Director Board appointed for that purpose. There was also a parallel criminal proceedings in which the workman was found guilty by the trail Magistrate and sentenced to undergo rigorous imprisonment for a period of one year with an additional penalty of a fine of Rs. 1000 for an offence under Section 408 I. P. C. In addition he was convicted under Section 477 (A) I. P. C and sentenced to undergo rigorous imprisonment for six months. But these convictions and sentences were set aside in appeal by the Sessions Court. It is said that an appeal preferred from the acquittal by the prosecution is still pending before the High Court. But in the meanwhile the workman was dismissed after a domestic enquiry into the charges raised against him. The correctness of that dismissal is challenged by the workman.

2. The Society is defending its action by contending that the workman was found guilty of serious misconducts involving misappropriation and falsification of accounts in a properly conducted domestic enquiry and therefore the dismissal is proper and sustainable. The workman while pleading innocence of the charges complains that there was no proper or valid domestic enquiry. He is claiming reinstatement with all benefits.

3. In view of the rival contentions regarding the validity of the domestic enquiry it was proposed to decide that question as a preliminary issue. It was conceded by both sides that this issue can be disposed of without evidence on the available documents. The enquiry file was accordingly marked as Ext. M1.

4. The enquiry was held by an Advocate appointed for that purpose. It was held in the absence of the workman. The workman did not participate even though notice of enquiry was served on him. There cannot be a legitimate complaint that the enquiry should not have been held ex parte as the workman has no satisfactory explanation for not participating in the enquiry. The main complaint of the workman is that the Enquiry Officer did not enquire into the charges framed against him and that he himself framed a new charge and found him guilty of the same without giving him an opportunity to explain his position on the new charge. It is the admitted case that there was an internal audit for the period 1-7-1975 to 15-3-1976. On the basis of the discrepancies pointed out in audit the workman was placed under suspension pending enquiry from 17-3-1976. But even before that the workman had filed a petition before the Board on 16-3-1976 admitting that there is deficiency to the extent of Rs. 5000 in cash. He also offered to remit the deficiency in cash. He craved for mercy and prayed that further action may be dropped. But the Society did not accept the explanation and the offer made by him. It issued a charge-sheet containing as many as 16 items of misconducts. In the same charge it was informed that an Advocate is appointed as the Enquiry Officer. The Venue and the time of the enquiry was also informed. As already mentioned the workman did not participate in the proposed enquiry.

Ext. M1 recites the misconduct on which the Enquiry Officer conducted the enquiry. That is to the following effect:—

"1393-ാം നമ്പർ അരിപ്പറമ്പു സർവ്വീസ് സഹകരണ സംഘത്തിന്റെ പെയ്ഡ് സെക്രട്ടറിയായിരുന്ന നിങ്ങൾ യഥാർത്ഥത്തിലുള്ള നാൾ വഴി കൂടാതെ ഒരു കള്ള നാൾവഴി സൂക്ഷിക്കുകയും ബോർഡിനേയും ഓഡിറ്റേഴ്സിനേയും. പ്രസ്തുത കള്ള നാൾവഴി കാണിച്ച് തെറ്റിദ്ധരിപ്പിക്കുകയും തദ്വാര കൃത്രിമവും പണാപഹരണവും മറ്റും നടത്തി"യെന്നുള്ളതാണ് നിങ്ങളുടെ പേരിൽ ഉന്നയിച്ചിരിക്കുന്ന ചാർജ്". The enquiry was directed against this charge alone. No misconduct in the above words is given among the 16 items mentioned in the charge framed and served by the Society on the workman on 31-5-1976. But item No. 12 of the charge is to the following effect:—

"12. ബോർഡിനെ തെറ്റിദ്ധരിപ്പിക്കുന്നതിനുവേണ്ടി ഒരേസമയം രണ്ടു നാൾവഴികൾ സൂക്ഷിക്കപ്പെട്ടിരുന്നതായി കാണപ്പെട്ടിരിക്കുന്നു". The substance of these several items of the charge are that there were various irregularities relating to cash and accounts, that the accounts were not properly prepared, that duplicate accounts were maintained and that misappropriation was committed. The Enquiry Officer consolidated the charges into one and conducted the enquiry. It cannot be said that the charge into which the Enquiry Officer enquired is something different from

the misconducts alleged against the worker in the charge served on him. In these state of affairs it cannot be said that the Enquiry Officer framed a new charge and the enquiry was directed against an item of misconduct which was not included in charge served on the workman. If at all any irregularity was committed by the Enquiry Officer in the matter of the subject matter of the enquiry it was only to the effect that he did not enquire into several items of misconducts raised against the workman. But the Management had no complaint about it. They are prepared to stand by the particular item of misconduct that was considered by the Enquiry Officer. So the fact that the Enquiry Officer did not consider all the items of misconducts mentioned in the original charge is no ground to say that the enquiry had in any way affected the interests of the workman adversely.

5. One other complaint is that no detailed evidence was adduced before the Enquiry Officer on the charges and that the Enquiry Officer did not consider the evidence and documents in detail and the finding was rendered without assigning any reasons whatsoever. Only one witness was examined at the enquiry. That witness is the present Secretary. He had stated that the delinquent workman had maintained duplicate day books and that that fact was reported by the Asst. Registrar of the Co-operative Department before whom the duplicate copy was produced. That report was proved by the witness as Ext. P1. The duplicate day book was also proved by that witness as Ext. P2. That in short is the evidence. The Enquiry Officer simply states that the evidence had proved the charges. This was said without any discussion. The Enquiry Officer had disposed of the matter in a summary manner without considering the evidence and its effect. The Enquiry Officer should have given more serious considerations to the evidence. The complaint that the Enquiry Officer did not consider the matter in detail has great force.

6. Now the question remains as to whether the conclusions reached by the Enquiry Officer can be supported on the basis of the available evidence and circumstances. This is a case were the workman himself had admitted in his petition dated 16-3-1976 that there is deficiency in cash and irregularities in the accounts maintained by him. He had also offered to pay the deficiency in cash to the tune of Rs. 5,000. The deficiency in the cash should have been appropriated by the workman. In these state of affairs the charge of irregularities in the account and misappropriation were admitted. On the admitted facts an enquiry is unnecessary. In the replication filed before this court the workman had categorically admitted that he had maintained two day books for the same period. His explanation is that there were certain mistakes in the original day book and therefore a fresh one was opened rectifying the mistakes. He has no case that he had done so with the approval of the Director Board of the Society. So the fact that he had maintained duplicate accounts for the same period is also admitted. In these state of affairs the charge that he maintained duplicate accounts and misappropriated money is admitted. So the findings reached by the Enquiry Officer are correct and it is unnecessary in the circumstances of this case to set aside that finding and proceed the case further by

adducing fresh evidence before this court. So the findings of the Enquiry Officer are confirmed.

7. In the result it is hereby ordered that there was a proper enquiry. The finding of guilt rendered by the Enquiry Officer is also confirmed."

IV. In view of the above finding the only question that remains for further consideration is as to whether the workman is entitled to any reliefs in the matter of punishment as per Section 11- A of the Industrial Disputes Act. The learned counsel appearing on behalf of the workman argued before me for the position that there is no unconditional admission on the part of the workman regarding the misconducts attributed to him and therefore he is entitled to the relief of reinstatement. But it is not open to the learned counsel to argue for that position as the matter had already been concluded in the preliminary order. All that I can do at this stage is to see whether the workman can be given a lesser punishment or some other reliefs. This is a case where the workman who was the Chief Executive Officer of a Society committed misappropriation and fabricated accounts. The fact that he offered to make good the deficiency in the money when the misappropriation was detected is not a circumstance to mitigate the gravity of the offence. The Secretary of the Society must be honest while handling its funds. Not only that Shri Varghese misappropriated the money but he also fabricated accounts to suppress the misappropriation. In these state of affairs it cannot be said that the misconduct is something trivial for which a punishment less than dismissal will be adequate. In the circumstances I find no reason to award any lesser punishment or to give any other reliefs to Shri Varghese. So the dismissal is only to be confirmed and I do so. In the result an award is passed confirming the dismissal of Shri P. K. Varghese.

Ernakulam,
17-8-1982.

N. SUKUMARAN,
Presiding Officer.

Appendix

Exhibits marked on the Management's side:

Ext. M1. Domestic enquiry file.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O (Rt.) No. 1177/82/LBR. *Dated, Trivandrum, 29th October* 1982.

The award of the Industrial Tribunal, Alleppey in respect of the dispute between The Managing Partner, United Can Company, Thripunithura Road, Thripunithura and their workmen represented by the General Secretary, United Can Company Workers Union, P. O. Thripunithura received by Government on 12-10-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Court of the Industrial Tribunal, Alleppey

Dated this the 8th day of July 1982

Present:

SHRI K. KANAKACHANDRAN, B. SC., LL. B.,
Industrial Tribunal

in

INDUSTRIAL DISPUTE No. 47/82

Between

The Managing Partner, United Can Company,
Thripunithura Road, Thripunithura.

And

The workmen of the above concern represented by the General
Secretary, United Can Company Workers Union,
P. O. Thripunithura.

Representations:—

M/s Santilal Haridas & A. Antony, Advocates, Cochin.	For *Management*.
Shri Ranjit Kumar, Advocate, Cochin.	For *Union*.

AWARD

The Industrial Dispute between the Managing Partner, United Can Company, Thripunithura and the workmen therein was initially referred for adjudication to the Industrial Tribunal, Calicut by G. O. (Rt.) No. 1208/81/LBR dated 19-9-1981. After the change in the jurisdiction, the above industrial dispute was transferred to this Court for adjudication. In this Court the above dispute was renumbered as I. D. 47/82.

2. The issue referred for adjudication are:—

(1) Denial of employment to workmen.

(2) Bonus for the year 1979-80 and 1980-81.

Along with the reference order, the charter of demand submitted by the United Can Company Workers Union, Thripunithura to the District Labour Officer, Alwaye, was also forwarded. The Charter of demands shows that there were 12 permanent workmen and 3 temporary workmen in the Management establishment. The names of the permanent workers are as follows:—

(1)	C.S.Paraman	(7)	N.Damodaran
(2)	C.S.Venu	(8)	T.N.Sagi
(3)	K.N.Many	(9)	T.P.Muraleedharan
(4)	M.N.Mohanan	(10)	C.R.Venu
(5)	P.P.Vasudevan	(11)	M.L.Babu
(6)	V.K.Nandanan	(12)	P.R.Lakshmanan

The following are the temporary workmen:—

(13) Nandappan (14) Sugathan (15) P. Joy

It is also stated in the charter of demands that Bonus for the year 1979-80 and 1980-81 has not been paid and only a sum of Rs. 300 each had been paid towards bonus advance and wages advance on 8-10-1930. The balance is still outstanding as dues according to the charter of demands.

3. In response to the notice sent for appearance of the parties, both management and workmen entered appearance through counsel. Although M/s. P. Narayanan Namboodiripad and P. K. Raghavan, Advocates, appeared for union initially by filing Vakalath, later in their place Advocate B. Ranjit Kumar came. On behalf of the management M/s. Santhilal Haridas and A. Antony filed Vakalath. On 20-4-1982 the management entered appearance for the first time.

4. Even before the Management entered appearance, the union filed their claim statement. After entering appearance, on 6-5-1982, the counsel for the management prayed for time for filing written statement. Therefore the case was adjourned to 9-6-1982. On that day there was no representation from the management. The next day of posting i. e., on 7-7-1982 also, the management was absent. On that day the union filed additional document. As directed by this Court the Secretary of the union filed an affidavit also in support of the claim statement. Therefore the position is that the management is not showing any interest in prosecuting the matter. By believing the affidavit of the union, I am compelled to pass this award on the basis of the claims put forward by the workmen.

5. The management company is engaged in fabrication of tin containers and sale of them. It has got four more units of the same type located at different places viz., Palluruthy, Calicut and Palghat. The unit at Thripunithura had been employing 22 workers and only 19 of them are interested in the present dispute. All of them are the members of United Can Company Workers Union. The three other workers had been provided with alternative employment by the management themselves and they are not interested in the dispute. On 16-6-1980, the management put up a notice declaring closure of the factory and then after the factory had not worked. According to the union the closure was without any reason and it was done illegally and without giving proper notice and compensation to the workers. Although the union took up the matter before the District Labour Officer, Alwaye, the management did not participate in the various conciliation conferences held by the labour officials at various levels. It is also alleged by the union that the management is still buying the steel plate quota allotted by the government and they are manufacturing tin

containers in other units with the quota allote, to the unit at Thripuni thura. It is submitted that the closure of the factory is to be declared as illegal and malafide. In the circumstance it is further contended that the workmen are entitled for normal relief of reinstatement with backwages and in lieu of reinstatement, the workers may be given adequate compensation as provided in the Industrial Dispute Act. It is further averred in the affidavit that in other units run by the same management, 20% bonus was given to the employees therein for the years in 1979-80 and 1980-81 and therefore the workmen herein also are entitled for identical treatment in the matter of payment of bonus for the above said years.

6. A request was made by the Secretary of the United Can Company Workers Union to mark the letter dated 19-6-1980 sent by them to the District Labour Officer, Alwaye and also a statement containing the names of 19 workmen with their service details and their entitlement for monetary benefits as Ext. W1 and W2 respectively. That request is allowed and the above said documents are marked as W1 and W2. The Ext. W2 contains 19 names. But the charter of demands submitted to the District Labour Officer, Alwaye deals only with the case of 15 workman including 3 temporary workmen. But the list does not contain the name of one temporary workman viz., Sugathan. In addition to the names contained in the charter of demands, 5 additional names are also appearing in Ext. W2 list. Since the charter of demand forwarded along with the reference order did not contain the names of the above said 5 workmen viz. M.K. Narayanankutty, N. Raghavan, Sudhakaran, K. K. Joy and K. Radhakrishnan, I am not dealing their case in this award. But I am concerned only with the case of the persons whose cause were exposed by the union when charter of demands was submitted to the labour officials. The dispute emanates only from that demand. The details regarding the entitlement for compensation and other benefits in respect of workmen whose causes were exposed by the union are contained in Ext. W2. For the easy computation of the monetary benefits for which each of the above said 14 workmen is entitled, I am extracting the relevant portion of Ext. W2 statement. The figure shown in Ext. W2 in respect of total amount for which each workman is entitled is wrong since consolidated monthly wages is also added to the total. Therefore corrected figures are shown in the tabular column given below :—

GA. 202.

Sl. No.	Name	Date of entry	No. of year of service	Consolidated monthly wages	Notice pay	Retrenchment benefit	Gratuity	Bonus for 1979-80, 1980-81	Wage arrears	Less advance	Net Total
1.	M. N. Mohanan	23-6-75	7	400	400	1400	1400	1920	9600	300	14420
2.	G. S. Preman	24-12-73	9	400	400	1800	1800	1920	9600	300	15220
3.	C. R. Venu	14-3-73	9	400	400	1800	1800	1920	9600	300	15220
4.	V. K. Nandanan	2-6-75	7	400	400	1400	1400	1920	9600	300	14420
5.	M. L. Babu	23-6-76	6	400	400	1200	1200	1920	9600	300	14020
6.	T. G. Sagi	23-6-78	4	400	400	800	..	1920	9600	300	12420
7.	T. P. Muraleedharan	23-6-78	4	400	400	800	..	1920	9600	300	12420
8.	C. S. Venu	24-3-75	7	400	400	1400	1400	1920	9600	300	14420
9.	P. P. Vasudevan	2-6-75	7	400	400	1400	1400	1920	9600	300	14420
10.	N. Damodaran	7-4-75	7	400	400	1400	1400	1920	9600	300	14420
11.	P. Joy	2-6-75	7	400	400	1400	1400	1920	9600	300	14420
12.	Nandappan	23-6-78	4	400	400	800	..	1920	9600	300	12420
13.	K. N. Mani	1-1-79	3	400	400	600	..	1920	9600	300	12220
14.	P. R. Lekshmanan	1-1-79	3	400	400	600	..	1920	9600	300	12220

7. In view of the above I will have to hold that the above said 14 workmen are entitled for retrenchment compensation as envisaged in Sec. 25F of the Industrial Dispute Act. They are also entitled for gratuity and bonus as claimed by the Union in the claim statement and affidavit. Since no details are available with regard to the temporary workmen viz., Mr. Sugathan, I am not in a position to determine the compensation due to him.

I pass this award holding that each workman is entitled to the monetary benefit as computed in the table given above. This award will come into force on expiry of 30 days from the date of publication of award in the official gazette.

K. KANAKACHANDRAN,

Industrial Tribunal.



GOVERNMENT OF KERALA

Abstract

RULES—KERALA TREASURY CODE VOLUME I—AMENDMENT TO RULE 18—ORDERS ISSUED

FINANCE (S L.) DEPARTMENT

G.O. (P) No. 716/82/Fin. Dated, Trivandrum, 24th November 1982

Read:— 1. Letter No. GAD 1/A/15-245/11 dated 20-3-1982 from the Accountant General, Trivandrum.

2. Letter No. E1-7192/82 dated 5-7-1982 from the Director of Treasuries, Trivandrum.

NOTIFICATION

S.R.O. No. 1552/82.—In exercise of the powers conferred by clause (2) of article 283 of the Constitution of India, the Governor of Kerala hereby makes the following rules further to amend the Kerala Treasury Rules, namely:—

RULES

C S. No. 12/82/*Fin. Dated,* 24-11-1982

1. *Short title and Commencement:*—(i) These rules may be called the Kerala Treasury (Amendment) Rules, 1982.

(ii) They shall come into force at once.

2. *Amendment of the rules.*—In the Kerala Treasury Rules, in rule 18, in the exceptions, after clause (c) the following clause shall be inserted, namely:—

"(d) for the payment of honorarium to the Teaching Staff of the Engineering Colleges and Poly Technics for conducting classes for part time courses, provided such claims are countersigned by the Heads of Institutions concerned".

By order of the Governor
P. SAHADEVAN,
Additional Secretary (Finance.)

Explanatory Note

(This does not form part of the amendment but is intended to indicate its general purport.)

According to Rule 18 of the Kerala Treasury Code Volume I authorisation by the Accountant General is necessary for making payments towards pay and allowances, leave salary, honorarium etc., in respect of Gazetted Officers. Payments of over time, honorarium of an occasional nature, and honorarium by Public Service Commission to Gazetted Officer's do not require the authorisation as provided under exceptions to Rule 18. Honorarium is sanctioned to the teaching staff of the Engineering Golleges. The Accountant General has now pointed out that on scrutiny of these claims it is revealed that checking of the claim involves only checking of the arithmetical accuracy. As such it is felt that prior authorisation by the Accountant General can be dispensed with. The officers can prefer their claims and get it countersigned by the Heads of the Institutions where the classes are conducted. This has necessitated some changes to the rules in Kerala Treasury Code and hence this amendment.

To

The Accountant General, Kerala, Trivandrum
All Heads of Departments and Offices.
All Departments and Sections of the Secretariat.
The Registrar, High Gourt, Ernakulam (with G. L.).
The Registrar, Universities of Kerala/Gochin/Calicut (with G. L.)
The Registrar, Agricultural University, Mannuthi, Trichur (with G.L.)
The Advocate General, Ernakulam (with C. L.)
The General Manager, Kerala State Road Transport Gorporation, Trivandrum (with G. L.).
The Secretary Vigilance Gommission. (with G.L.)
The Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries to Government.
The Secretary, Kerala State Electricity Board, Trivandrum
The Private Secretaries to the Ghief Minister and other Ministers.
The Secretary to the Governor.
The Under Secretary to the Ghief Secretary

GOVERNMENT OF KERALA

Agriculture (Co-operation) Department

NOTIFICATION

G.O. (Ms) No. 326/82/AD. *Dated, Trivandrum, 17th November* 1982.

S. R. O. No. 1553/82.—Whereas under subsection (6) of section 63 of the Kerala Co-operative Societies Act. 1969 (21 of 1969), every society shall pay to the Government such fee for the audit of its accounts for each year as may be fixed by the Registrar in accordance with the rules made in this behalf;

And whereas under sub-rule (1) of rule 65 of the Kerala Co-operative Societies Rules, 1969, every co-operative society shall pay to Government within one month of receipt of the annual audit certificate an audit fee calculated on the working capital as on the last day of the co-operative year to which the audit relates or on the total sales during the year, or on the gross income during the year as the case may be, as shown thereon ;

And whereas the Patients' Co-operative Society Limited No. R678, Koratty, which is classified as "Non-Agricultural Non credit primary store" under sub-rule (1) of rule 65 of the said rules for the purpose of levying audit fee, has been formed for resettlement and welfare of leprosy patients;

And whereas Government are satisfied that the financial position of the society is not sound and therefore it is necessary in the public interest to exempt the society from the provisions relating to the payment of audit fee, to give some relief to the society;

Now, therefore, in exercise of the powers conferred by Section 101 of the Kerala Co-operative Societies Act, 1969 (21 of 1969) and rule 181 of the Kerala Co-operative Societies Rules, 1969, the Government of Kerala hereby exempt the Patients' Co-operative Society Limited. No. R678, Koratty from the provisions of subsection (6) of section 63 of the said Act and sub-rules (1) and (4) of rule 65 of the said Rules.

By order of the Governor,

A. T. MOHAMMEDUNNI,

Additional Secretary to Government.

[P.T.O.]

G. 1737

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The Patients' Co-operative Society Limited No. R 678, Koratty is a Co-operative Society formed for the welfare of the Leprosy Patients. As the society was classified under "Non-Agricultural Non credit Primary store" under sub-rule (1) of rule 65 of the Kerala Co-operative Societies Rules, 1969, it was obliged to pay audit fees to Government as specified in sub-section (6) of Section 63 of the Kerala Co-operative Societies Act, 1969. Finding that they could not pay the audit fees, Government consider that it is necessary (in the public interest) to exempt the said society from sub-section (6) of Section 63 of the said Act and Sub-rules (1) and (4) of rule 65 of the Rules Hence this notification.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 18105/TC2/82/TF&P. *Dated, Trivandrum, 20th November*, 1982.

S.R.O. No. 1554/82.—Whereas representations have been received by Government from the Stage Carriage Operators specified in the annexure to this notification, that the vehicle tax for the quarter ended on the 30th September, 1982 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 30th September 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 30th August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW., dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

ANNEXURE

Sl. No.	Name of the Stage Carriage Operator	Registration Number of the Stage Carriage
(1)	(2)	(3)
1	Smt. K. K. Soosanna, Kizhakkoodan House, East Fort, Trichur-5.	KRE 4462
2	Sri V. Rajan, Valappil House, Badagara	KLZ 5274
3	Sri Thomas Varghese, Kakkade House, Kizhakkambalam, P. O., Ernakulam.	KEE 2712
4	Sooraj Transport, Pallikunnu P. O., Cannanore	KLC 8365, KLF 9365 KLN 326
5	Shri N. Gopalan, Gopal Motor Transport, Quilon	KLQ 4518 KLQ 6345
6	Manager, Sree Nataraj Motor Service, Cannanore	KLN 8501 KLC 8211 KLN 891 KLC 6215
7	Sri K. P. Damodaran, Shajee Motor Service, Cannanore.	KLC 5538. KLH 2539, KLC 5903 KLN 90 KLN 501 KLN 858 KLN 2424 KLN 2539 KLN 7576
8	Sreekanteswara Bus Service, Cannanore	KLN 500 KLC 8911, KLC 4658
9	Sri K. P. Bhaskaran, Prakash Transport, Cannanore	KLN 2233 KLC 7383 KLH 2535 KLC 8489
10	Sri K. P. Karunakaran, Karuna Transport, Cannanore.	KLC 8357

(1)	(2)	(3)
11	Smt. M. Rohini, Balram Bus Transport, Cannanore	KLN 7479 KLN 679 KLC 4995, KLM 485
12	Vasantha Motors, Cannanore	KLN 687, KLC 4368 KLC 4777, KLC 8999 KLN 2246
13	Sri K. T. Rajagopalan Nambiar, Sree Raj Motor Service, Cannanore	KLN 207
14	Sri K. Gopalan, Kairali Motor Service, Mattol North, P. O. Cannanore	KLN 489 KLH 3314
15	President, The Cannanore District Motor Transport Employees' Co-operative Society, Limited	KLC 3959, KLC 4503 KLC 5185 KLC 5864 KLC 6296 KLC 7221 KLC 7521 KLC 8202 KLC 8274 KLN 318 KLN 7659
16	Sri M. A. Lohidakshan, Manakkalakath House, Coorakattukara P. O., Amalanagar, Trichur	KLH 7183
17	Sri N. G. Thankappan, Narothuparambu, Cheroor, Trichur	KLR 7959 KRR 5844 KRR 4431
18	Sri V. Premachandra, Leela Sadanam, Attingal	KRT 954
19	Mrs. T. T. Annamma Jacob, Nellisery Motor Service, Ayyanthole, Trichur	KLH 5933
20	Sri C. V. John, Chittilappilly House, Chittattukara, Trichur	KLR 9332

(1)	(2)	(3)
21	Sri D. M. Joseph, Palliparambil House, S. R. M. Road, Ernakulam	KRE 2556 KEE 6314
22	Sri M. Sayed Alavi, Cheruvannur Transport, Feroke, Calicut	KLZ 4419
23	Sri T. O. John, Tharayil House, Thalayolaparambu, Vaikom Taluk, Kottayam	KLO 5776
24	Sri N. E. Narayanan, Nallakattu House, Wlala, Thalayazham, Vaikom Taluk, Kottayam	KRK 5488
25	Proprietor, R.K.V. Motors & Timbers (P) Ltd., Trivandrum	KLV 3729, KLV 4098 KLV 4296, KLV 7329 KLV 2988, KLV 3468 KLT 8982, KLT 6616 KLT 4192, KET 2223 KLT 6417, KLV 4269
26	Proprietor, Geetha Transport, Cannanore	KLN 689
27	Sri K. T. Vijayan, Brigh Villa, Talap, Cannanore	KLN 7902
28	Sri G. Balakrishnan, Balaram Building, Quilon	KLQ 4672
29	Sri Unnikrishnan, Achettu House, Mundakkal, Quilon	KLQ 7855
30	Managing Partner, Awon Transport, South Bazar, Cannanore	KLN 430
31	Manager, New Kerala Bus Transport,	KLN 135, KLN 235 KLN 668, KLN 385 KLN 936, KLC 5293 KLC 3727, KLC 2874

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received certain representations from the Stage Carriage Operator as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 18386/TC2/82/TF&P. *Dated, Trivandrum, 2nd November* 1982.

S. R. O. No. 1555/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri Sajith, Eachem Veettil, Quilon that the vehicle tax for the quarter ended on the 30th June, 1982 in respect of the stage carriage bearing Registration Number KLQ. 4822 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th June, 1982, due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th June, 1982, in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th June, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 30th August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (S) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 30th June, 1982, due to financial strain.

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 18353/TC2/82/TF & P. *Dated, Trivandrum, 5th November* 1982.

S.R.O. No. 1556/82.—Whereas representation has been received by Government from the Stage Carriage Operators Shri C.A. Krishna Menon, Meena Electricals & Spares, Bank Road, Calicut that the arrears of vehicle tax for the quarter ended on the 30th June, 1982 and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KLD. 9619 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of arrears of Vehicle tax in respect of this Vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the arrears of vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 30th June, 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest to require the stage carriage operator in respect of the said stage carriage to remit the arrears of vehicle tax for the quarter ended on the 30th June, 1982 immediately and to extend the time for payment of the vehicle tax for the quarter ended on the 30th September, 1982;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax in respect of the carriages ordinarily kept for use in the State for the quarter ended on the 30th June, 1982 shall be paid immediately and that the vehicle tax for the quarter ended on the 30th September, 1982 shall be paid on or before the 31st August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 3[illegible]942/TC2 75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 87[illegible]/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

G. 1628

[P. T. O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representations from the Stage Carriage Operators as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 30th June, 1982 and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

Kerala Gazette No. 50 dated 21st December 1982.
PART I

Section Iv

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 19274/TC2/82/TF&P. *Dated, Trivandrum, 2nd November* 1982

S. R. O. No. 1557/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri Chinnameeran Rawther, Padinjattathil, Pathanapuram that the vehicle tax for the quarter ended on the 30th June, 1982 and 30th September, 1982 in respect of the stage carriage bearing Registration No. KLU. 385 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax for the quarter ended on 30th September, 1982 in respect of this vehicle may, therefore, be granted and that permission may be granted to remit the arrears of vehicle tax for the quarter ended on 30th June, 1982 in instalments;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th June, 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax in respect of the said stage carriage for the quarter ended on the 30th September, 1982 and to permit him to remit the arrears of vehicle tax for the quarter ended on the 30th June, 1982 in equal monthly instalments ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the arrears of tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before 15th September, 1982 and the arrears of tax for the quarter ended on the 30th June, 1982 shall be paid in three equal monthly instalments commencing from 5th August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW, dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
T. Sankaran,
Additional Secretary to Government.

G. 1594

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 30th September, 1982 and to grant instalment facility to remit the tax for the quarter ended on 30-6-1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise the vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 16732/TC2/82/TF&P. *Dated, Trivandrum, 20th October,* 1982.

S.R.O. No. 1558/82.—Whereas representation has been received by Government from the Stage Garriage Operator Smt. P.E. Nafeesa Koleadath House, S.R. M. Road, Cochin-25 that the vehicle tax for the quarter ended on the 31st December, 1981, 31st March, 1982, 30th June, and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KRE 7819 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st December 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st December, 1981, 31st March,1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 31st August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

T. SANKARAN,
Additional Secretary to Government

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries & Ports (Transport-B) Department

NOTIFICATION

G.O. (Rt.) No. 1006/82/TF & P. *Dated, Trivandrum, 26th November* 1982.

S. R. O. No.1559/82.—Whereas, Mrs. Jaya Alfred, Rose Villa, Thoongampara, Kandala P. O., Trivandrum has purchased a standard 20 Micro Bus, the details of which are hereunder given, for the purpose of operating it for her private use only.

And whereas the overhang of the said vehicle exceeds the limits prescribed under sub-rule (2) of rule 268 of the Kerala Motor Vehicles Rules, 1961;

And whereas, the Government of Kerala are satisfied that the said vehicle can conveniently be operated for her private use only with such excess measurement in overhang ;

Now, therefore, in exercise of the powers conferred by rule 368 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby exempt the said vehicle from the provisions of sub-rule (2) of rule 268 of the said Rules.

DETAILS OF THE VEHICLE

Model—Standard 20 Micro Bus
Engine No.—SD— 19636
Chassis No.—25228—D1
Overall length—445 centimetres
Overall width—185 centimetres
Overhang—52% of the wheel base
Wheel base—226 centimetres

By order of the Governor,

T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate its main purport.)

Mrs. Jaya Alfred, Ross Villa, Thoongampara, Kandala P. O., Trivandrum, has requested Government to exempt her vehicle mentioned in the above notification from the provisions of Kerala Motor Vehicles Rules, 1961, relating to overhang. The vehicle is intended to be registered and operated for her private purposes only. Government have considered the request in consultation with the Transport Commissioner and decided to grant the exemption sought for. Hence this notification.

G. 1774

GOVERNMENT OF KERALA

Revenue (Legislation) Department

NOTIFICATION

No. G.O.Ms. 1066/82/Rev. *Dated, Trivandrum 25th November* 1982.

S.R.O. No 1560/82.—In exercise of the powers conferred by section 21 of the Kerala Service Inam Lands (Vesting and Enfranchisement) Act, 1981 (17 of 1981), the Government of Kerala hereby make the following rules further to amend the Kerala Service Inam Lands (Vesting and Enfranchisement) Rules, 1981, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Service Inam Lands (Vesting and Enfranchisement) Second Amendment Rules, 1982.

(2) They shall come into force at once.

2. *Amendment of rule 4.*—In the Kerala Service Inam Lands (Vesting and Enfranchisement) Rules, 1981, in rule 4, for the words "six months", the words "one year and three months", shall be substituted.

By order of the Governor,

K. NARAYANAN,

Deputy Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Under Rule 4 of the Kerala Service Inam (Vesting and Enfranchisement) Rules 1981, the time allowed for filing application by land owner for the amount under section 5 of the Kerala Service Inam Lands (Vesting and Enfranchisement) Act 1981 (17 of 1981) before the Settlement Officer is six months from the date of commencement of the rule. The rule came into force on 20-10-1981. But the settlement Officer started functioning only in April 1982. The period of six months expired on 20-4-1982. Hence time the limit has to be extended. This notification is intended to achieve the above object.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 18844/TC2/82/TF&P. *Dated, Trivandrum, 2nd November* 1982.

S. R. O. No. 1561/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri O. P. Beerankoya, Onkottey House, Naduvannoor, Calicut that the vehicle tax for the quarter ended on the 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KLZ. 1316 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of this vehicle may, therefore, beranted ;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th September, 1982 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriage ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the Vehicle tax for the quarter ended on the 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 3rd September, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the stage carriage operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 30th September, 1982 due to financial strain ;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Taxes (E) Department

NOTIFICATION

G. O. MS. No. 84/82/TD. *Dated, Trivandrum, 10th December* 1982.

S. R. O. No. 1564/82.—In exercise of the powers conferred by section 5 of the Registration Act, 1908 (Central Act 16 of 1908), the Government of Kerala hereby make the following amendments to their Notification No. G. O. (MS) 29/78/TD dated the 8th March, 1978 published as S. R. O. No. 646/78 at pages 1 to 102 of Section iv of Part I of the Kerala Gazette No. 27 dated the 4th July, 1978, as subsequently amended, namely:—

AMENDMENTS

In the Schedule to the said notification,—

1 in the entries relating to Alleppey Registration District,

(a) for item "5 Mavelikara" in column (2) and the entries against it in columns (3) and (4), the following item and entries shall be substituted, namely:—

"5. Mavelikara	Mavelikara	Mavelikara
	do.	Thekkekara
	do.	Kannamangalam
	do.	Thazhakara";

(b) for item "5A. Cheriyanad" in column (2) and the entries against it in columns (3) and (4), the following item and entries shall be substituted, namely:—

"5A. Cheriyanad	Chengannoor	Venmani
	Mavelikara	Chunakara
	Chengannoor	Cheriyanad"

2 in the entries relating to Kottayam Registration District,

(a) for item "3. Pambadi" in column (2) and entries against it in columns (3) and (4) the following item and entries shall be substituted, namely:—

"3. Pampadi	Kottayam	Pampadi
	do.	Anikad
	do.	Kooropada
	Changanacherry	Vazhur";

(b) for item "3A. Kozhuvanal" in column (2) and the entries against it in columns (3) and (4), the following item and entries shall be substituted, namely:—

"3A.	Kozhuvanal	Kottayam Meenachil	Akalakunnam Kizhavamkulamkara of Puliyannur Village.
		do.	Mevidakara of Meenachil Village;

3. in the entries relating to Ernakulam Registration District,

(a) for item "9. Edappally" in column (2) and the entries against it in columns (3) and (4), the following item and entries shall be substituted, namely:—

"9.	Edappally	Kanayannur	Eadappally North
		do.	Edappally South
		do.	Trikkakara North
		Parur	Varapuzha";

(b) for item "9A. Trikkakara" in column (2) and the entries against it in columns (3) and (4) the following item and entries shall be substituted, namely:—

"9A.	Trikkakara	Kanayannur	Trikkakara South";

4. in the entries relating to Trichur Registration District,

(a) for item "3. Chalakudi" in column (2) and the entries against it in columns (3) and (4), the following item and entries shall be substituted, namely:—

"3.	Chalakudi	Mukundapuram	Kodasseri
		do.	Potta
		do.	Elanjipra
		do.	Pariyaram
		do.	Melur
		do.	Muringurvadakkummuri
		do.	Kizhakkechalakudi
		do.	Padinjarechalakudi
		do.	Muringur Thekkummuri
		do.	Kizhakkummuri";

(b) for item "3A. Kodali" in column (2) and the entries against it in columns (3) and (4), the following item and entries shall be substituted, namely:—

"3A.	Kodali	Mukundapuram	Mattathur
		do.	Muppiliyam
		do.	Nandipulam
		do.	Varandarappally";

5. in the entries relating to Kozhikode Registration District,

(a) for item "3. Koduvally" in column (2) and the entries against it in columns (3) and (4), the following items and entries shall be substituted, namely:—

"13.	Koduvally	Kozhikode	Elettil
		do.	Avilora
		do.	Valiyaparamba
		do.	Kizhakkoth
		do.	Koduvally
		do.	Koduvammuzhi
		do.	Panur
		do.	Talappuramanna
		do.	Perilli
		do.	Koronthiri
		do.	Cuemmaruthai
		do.	Omasseri
		do.	Madavur
		do.	Muttancheri
		do.	Nediyanad
		do.	Pannikkottur
		do.	Palangod
		do.	Kotoli
		do.	Kondai
		do.	Paiballasseri
		do.	Arimbrom
		do.	Pallikoth
		do.	Parambathkavu
		do.	Karuvampoyil
		do.	Manipuram
		do.	Puthur
		do.	Koduvathur
		do.	Vennakode
		do.	Chokkur
		do.	Vavad
		do.	Eranhona
		do.	Perangottor
		do.	Kalaranthiri
		do.	Panakkad";

(b) for item "13A. Tamarassery Town" in column (2) and the entries against it in columns (3) and (4), the following item and entries shall be substituted, namely:—

"13A.	Thamarassery Town	Kozhikode	Velimanna
		do.	Kudathai
		do.	Palona
		do.	Andone
		do.	Erpona

		Kozhikode	Karungamanna
		do.	Kadavoor
		do.	Chamal
		do.	Chembra
		do.	Pallippuram
		do.	Punnoon
		do.	Raroth
		do.	Vizhupur
		do.	Padoor
		do.	Puthupadi
		do.	Malappuram
		do.	Kodencheri
		Quilandy	Kanthapuram
		do.	Poonoor
		do.	Mangad
		do.	Unnikulam";

6. in tbe entries relating to Wynad Registration District,

(a) for item "2. Vythiri" in column (2) and the entries against it in columns (3) and (4), the following item and entries sball be substituted, namely:—

2.	Vythiri	Vythiri	Achooranam
		do.	Kunnathidavaka
		do.	Kuppadithara
		do.	Padinharethara
		do.	Thariyode
		do.	Kaniyambetta
		do.	Peringode";

(b) for item "2A. Kalpetta", in column (2) and the entries against it in columns (3) and (4), the following item and entries sball be substituted, namely:—

"2A	Kalpetta	Vythiri	Kottathara
		do.	Ponginichikallur
		do.	Muttil
		do.	Vengappally
		do.	Kalpetta
		do.	Kottappady
		do.	Muppainad
		do.	Thekkumthara
		do.	Pulpadi
		do.	Thrikaipetta";

7. in the entries relating to Cannanore District,

(a) for item "11. Thaliparamba" in column (2) and entries against it in columns (3) and (4),the following item and entries shall be substituted, namely:—

"11.	Thaliparamba	Thaliparamba	Naduvil
		do.	Ariyil

Thaliparamba	Iringal
do.	Iruvapuzha-nambram
do.	Kaniohammal
do.	Kairalam
do.	Kanhirangad
do.	Keezhattur
do.	Kiriyad
do.	Kuttiyeri
do.	Kuppam
do.	Kurumathur
do.	Kuttikole
do.	Kaoonem
do.	Koovode
do.	Cheppanul
do.	Thaliparamba
do.	Trichumbaram
do.	Therthala
do.	Theralayi
do.	Naniyurambram
do.	Padappangad
do.	Panniyoor
do.	Pattuvam
do.	Parat
do.	Pullanhiyode
do.	Poomangalam
do.	Peruvangoor
do.	Panangattur
do.	Panakkad
do.	Pariyaram
do.	Mazhoor
do.	Mavicheri
do.	Mukkunnu
do	Mullakkodi
do.	Muyyam
do.	Munderi
do.	Vadakkancherry
do.	Varadool
do.	Valakkai
do.	Vellava
do.	Velam
do.	Kandakki";

(b) for item "11A. Alakode", in column (2) and the entries against it in columns (3) and (4), the following item and entries shall be substituted, namely:—

"11A.	Alakodu	Thaliparamba	Thadikkadavu
		do.	Thalavil

Thaliparamba	Thimiri
do.	Arangum
do.	Kooveri
do.	Chapparappadavu
do.	Cheriyoor
do.	Thalora
do.	Kottayad"

This amendment shall come into force with effect from the First day of January 1983.

By order of the Governor,
N. KRISHNAN NAIR,
Special Secretary (Taxes).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

It has been brought to the notice of Government that the Registering public experience great difficulty with the present arrangements of delimitation of Villages in certain Sub Registry Offices. Government therefore propose to make some changes in the jurisdiction of these Sub Registry Offices. This notification is intended to achieve the above object.

Reg. No. KL/TV(N)/12

Government of Kerala
1982



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 21st December 1982 / 30th Agrahayana 1904 [No. 950

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

G. O. Rt. No. 1363|82|LBR, *Dated, Trivandrum,* 18*th December,* 1982.

S. R. O. No. 1568|82.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (Central Act, 11 of 1948); read with rule 3 of the Kerala Minimum Wages Rules, 1958, the Government of Kerala hereby extend the term of the Minimum Wages Committee appointed under Notification No. G. O. Rt.. 1509|80|LBR dated the 28th October, 1980, published as S. R. O. No. 22|81 in Part I of the Kerala Gazette No. 1 dated the 6th January, 1981, to hold enquiries and advise Government in the matter of fixation of minimum rates of wages payable to the employees employed in the employment in Drying of Coconuts for making them Copra in the State of Kerala, for a further period of six months from the 28th October, 1982.

By order of the Governor,

K. I. Thomas,

Deputy Secretary.

33|4629|MC.

Explanatory Note

(This does no form part of the notification, but is intended to indicate its general purport).

The term of the Minimum Wages Committee for Employment in Drying of Coconuts for making them Copra, constituted vide G. O. Rt. No. 1509|80|LBR dated 28-10-1980, expired on 27-10-1982 vide G. O. Rt. No. 842|82|LBR dated 4-8-1982. Government have now decided to extend the term of this Committee for a period of six months from 28th October, 1982 to enable the Committee to complete its work.

This notification is intended to achieve the above object.

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1982

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KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

G. O. (Rt.) No. 1360/82/LBR.

Dated, Trivandrum, 18th December, 1982.

S. R. O. No. 1565/82.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), read with rule 3 of the Kerala, Minimum Wages Rules, 1958, the Government of Kerala hereby extend the term of the Minimum Wages Committee appointed under notification No. 1346/81/LBR dated the 30th October, 1981, published as S. R. O. No. 1251/81 in the Kerala Gazette Extraordinary No. 844 dated the 31st October, 1981, to hold enquiries and advise Government in the matter of fixation of minimum rates of wages payable to employees employed in the employment in Ice Factory in the State from the 30th day of October, 1982, upto and including the 31st day of December, 1982.

By order of the Governor,

K. I. Thomas,

Deputy Secretary.

33/4626/MC.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The term of the Minimum Wages Committee for Ice Factory Constituted vide G. O. Rt. No. 1346|81|LBR dated 30-10-1981, expired on 29-10-1982. Government have now decided to extend further the term from 30-10-1982, till the end of December, 1982 to enable the Committee to complete its work.

This Notification is intended to achieve the above object.

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Government of Kerala
1982

Reg. No. KL/TV(N)/12



KERALA GAZETTE

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GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

G. O. (Rt.) No. 1361|82|LBR.

Dated, Trivandrum, 18th December, 1982.

S. R. O. No. 1566|82.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), read with rule 3 of the Kerala Minimum Wages Rules, 1958, the Government of Kerala hereby extend the term of the Minimum Wages Committee appointed under Notification No. G. O. Rt. 666|81|LBR dated the 16th May, 1981, published as S. R. O. No. 611|81 in the Kerala Gazette Extraordinary No. 400 dated the 25th May, 1981, to hold enquiries and advise Government in the matter of revision of minimum rates of wages payable to the employees employed in the employment in Beedi and Cigar Industry in the State for a further period of one month from the 16th November, 1982.

By order of the Governor,

K. I. THOMAS,

Deputy Secretary.

33/4627/MC

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The term of the Minimum Wages Committee for Beedi and Cigar Industry constituted vide Notification G. O. Rt. No. 666|81|LBR dated 16th May, 1981 has expired on 15-11-1982 vide G. O. Rt. No. 836|82|LBR dated 4-8-1982. Government have decided to extend further the term for a period of one month from 16-11-1982 to enable the Committee to complete its work.

This Notification is intended to achieve the above object.

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1982



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GOVERNMENT OF KERALA.

Labour (E) Department

NOTIFICATION

G. O. Rt. No. 1362|82|LBR. *Dated, Trivandrum, 18th December*, 1982.

S. R. O. No. 1567|82.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), read with rule 3 of the Kerala Minimum Wages Rules, 1958, the Government of Kerala hereby extend the term of the Minimum Wages Committee appointed under notification No. G. O. Rt. 1347|81|LBR dated the 30th October, 1981, published as S. R. O. No. 1252|81 in the Kerala Gazette Extraordinary No. 845 dated the 31st October, 1981, to hold inquiries and advise Government in the matter of revision of minimum rates of wages payable to the employees employed in the employment in Forest in the State for a further period of six months from the 30th October, 1982.

By order of the Governor,

K. I. THOMAS,
Deputy Secretary.

33|4628|MC.

Explanatory Note

(This does not form part of notification, but is intended to indicate its general purport).

The term of the Minimum Wages Committee for Forest constituted vide G. O. Rt. No. 1347|81|LBR dated 30-10-1981 expired on 29-10-1982. Government have now decided to extend further the term a period of six months from 30th October, 1982, to complete the work of the Committee.

This notification is intended to achieve the above object.

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